

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

EDDIE BARTIE,
TDCJ-CID No. 01022319,

Plaintiff,

v.

2:21-CV-245-Z-BR

HOWARD RELFORD, *et al.*,

Defendants.

ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION

Before the Court are the findings, conclusions, and recommendation of the United States Magistrate Judge to dismiss Defendant Howard Relford from this case for failure to prosecute (“FCR”) (ECF No. 63), filed May 8, 2024. While Plaintiff filed no objections, he did file a response two days later on May 10, 2024 (“Response”) (ECF No. 64). The Response provided a 2019 organizational chart with Defendant Relford’s name, ECF No. 64 at 4, acknowledging that Defendant Relford “cease[d] to hold office” and that “his successor [David Driskell] is automatically substituted as a party,” *id.* at 1; *accord* FED. R. CIV. P. 25(d).

Hence, the Court **ORDERS** that the FCR be **ADOPTED IN PART**. Defendant Relford is therefore **DISMISSED** without prejudice in his individual capacity from this case.

SO ORDERED.

June 7, 2024



MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE